



**CITY OF BUCKEYE  
COUNCIL WORKSHOP  
FEBRUARY 6, 2018  
MINUTES**

**City Council Chambers  
530 E. Monroe Ave.  
Buckeye, AZ 85326  
2:45 p.m.**

**1. Call to Order/Roll Call**

Vice Mayor Orsborn called the meeting to order at 2:49 p.m.

Members Present: Councilmember Youngker (arrived at 2:53 p.m.), Councilmember HagEstad, Councilmember Hess, Councilmember Guy, Councilmember Heustis (arrived at 2:49 p.m.), and Vice Mayor Orsborn.

Members Absent: Mayor Meck.

Departments Present: City Manager Roger Klingler, City Attorney Shiela Schmidt, Deputy City Clerk Summer Stewart, Finance Director Larry Price, Interim Water Resources Director Mark Seamans, Public Works Director Scott Lowe, City Engineer Scott Zipprich, Deputy City Engineer Paul Lopez, and Communications Manager Annie DeChance.

**2. Presentation and discussion of the creation and implementation of a wastewater pretreatment program.**

Staff Liaison: Mark Seamans, Interim Water Resources Director

Mr. Seamans opened the presentation and provided an overview of the scope of the presentation; introduced Ashley Pennell, Wastewater Environmental Compliance Officer. Ms. Pennell provided information related to the creation and use of a Pretreatment Program along with a history of environmental quality regulations. Pretreatment standards were listed and summarized. The purpose of a pretreatment program was discussed. Councilmember Guy requested further information related to established standards. Ms. Pennell stated regulations are established by the Environmental Protection Agency (EPA); local limits are then implemented in addition to those standards established by the EPA. Regulation delegation was reviewed. The City is considered a Publicly Owned Treatment Works (POTW) and must develop standards as mandated by the Arizona Department of Environmental Quality (ADEQ). Components of the program were summarized and include legal authority, an enforcement response plan, adequate funding, procedures, local limits, and public participation. Key components of the consultant's responsibilities include the development of legal authority and an enforcement response plan, establishing local limits, development of permitting procedures, and identifying nondomestic users; each component is necessary to gain approval from the ADEQ. Councilmember Hess requested further information related to past historical disasters leading to the creation of the EPA and ADEQ. Ms. Pennell provided additional

information related to historical environmental disasters that became a catalyst to the necessity of establishing pretreatment programs. Councilmember Guy requested further information related to the requirement of the City to establish a pretreatment program. Ms. Pennell stated the City reached a design capacity that now requires the establishment of a wastewater pretreatment program. Councilmember Heustis discussed the importance of standards and compliance with ADEQ. Councilmember Youngker requested information related to non-compliance procedures and reporting requirements. Ms. Pennell stated a compliance schedule may be created to assist a non-compliant business. Mr. Seamans discussed possible steps that may be taken to partner with businesses and ensure compliance. Ms. Pennell provided additional information related to reporting requirements, which are based on categories. Mr. Seamans provided additional information related to categorical and significant industrial users. Vice Mayor Orsborn requested further information related to current significant industrial users and future businesses. Mr. Seamans stated there are current businesses that exist that would be considered a significant industrial user that would be required to provide reports; each new business will be reviewed individually to determine how the pretreatment program applies and any necessary processes they would need to implement in order to be compliant. Discussion was held regarding wastewater processes and the importance of balancing the system and protecting what comes into the water and wastewater treatment facilities.

### **3. Presentation and discussion of small cell wireless facilities in the public right-of-way.**

Staff Liaisons: Scott Zipprich, City Engineer

Paul Lopez, Deputy City Engineer

Mr. Lopez provided an overview of recent legislation related to Small Wireless Facilities in public rights-of-way. Chapter 124 (House Bill 2365) Wireless Facilities in the Public Right-of-Way, became effective on August 9, 2017 and will require the City to take specific actions with respect to its regulation of small cellular wireless communications facilities in its public rights-of-way. The Act requires municipalities to permit wireless providers to construct, install, operate, and maintain small cellular wireless facilities in the public rights-of-way. The City must have its rates, fees, and terms of use of public rights-of-way established by February 9, 2018. The recommended process was reviewed. Councilmember Heustis requested further information related to updated legislation. Mr. Lopez provided further information related to the new legislation and clarified the rights-of-way the new processes will apply to. Standards have been developed for the City to ensure safety; however, the City cannot preclude wireless providers from installing equipment within public rights-of-way. Councilmember Guy requested further information related to the master license agreement. Mr. Lopez stated discussions have been held among Arizona cities resulting in the drafting of a template agreement for each city's use. Design standards were discussed and summarized. Vice Mayor Orsborn requested further information related to construction of towers and poles. Mr. Lopez stated design standards have been drafted that will help to ensure any new towers and poles constructed by the wireless provider will be consistent with the look and height of City poles and towers and will blend in well with the environment. Benefits to the wireless provider were addressed and include minimal fees for use of City rights-of-way and a streamlined and speedier process to enter into agreements and install equipment. Fees were addressed and summarized. Mr. Lopez stated wireless providers will be permitted to co-locate with existing City of Buckeye infrastructure or construct a new free-standing pole, or they may co-locate with another existing utility provider's pole; depictions of each option were displayed and discussed. Information was provided regarding small wireless antennas. General discussion was held regarding discussions at the State level resulting in the updated legislation.

#### **4. Adjournment**

A motion was made by Councilmember Heustis and seconded by Councilmember Hess to adjourn the meeting at 4:09 p.m. Motion passed unanimously.

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Jackie A. Meck, Mayor

ATTEST:

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Lucinda J. Aja, City Clerk

I hereby certify that the foregoing minutes are a true and correct copy of the Council Workshop held on the 6<sup>th</sup> day of February, 2018. I further certify that a quorum was present.

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Lucinda J. Aja, City Clerk